

Source: Fitapelli & Schaffer, LLP

**Pio Pio Restaurants Violate State and Federal Labor Laws,
According to Fitapelli & Schaffer, LLP**

NEW YORK, April 27 /PRNewswire/ -- Nine former employees of the Peruvian-themed restaurant chain Pio Pio of New York, which operates restaurants in Manhattan, Queens and the Bronx, accuse the company of failing to pay workers minimum wages and overtime, in violation of state and federal law, a lawsuit filed today in New York federal court alleges.

Ten Pio Pio business entities and owner Augusto Yallico are accused in the lawsuit of underpaying employees and misappropriating portions of mandatory service charges and tips that service workers had earned under the federal Fair Labor Standards Act (FLSA) and New York Labor Law (NYLL).

Attorneys Brian S. Schaffer and Joseph A. Fitapelli, of Fitapelli & Schaffer, LLP, of New York, represent the workers.

According to the Complaint, “Unfortunately, Augusto Yallico, the owner of the Pio Pio restaurants, has decided it was more important to expand the popular chain and line his own pockets than abide by federal and state wage and hour laws. Under his direction, Pio Pio has continuously taken advantage of its loyal food service workers, some of whom have worked at the restaurant for over nine years.”

Brian S. Schaffer stated, “As Pio Pio grew in size and in prominence, and made the pages of The New York Times, Zagat and New York Magazine, the company’s success was achieved at the expense of its dedicated service workers who have not received all of the wages due to them.”

Counsel for the plaintiffs will seek to have the lawsuit certified as a class action on behalf of all hourly food service workers who work or have worked at the Pio Pio restaurants in Manhattan, Queens and the Bronx since 2004.

Joseph A. Fitapelli stated, “Mr. Yallico and his managers have an obligation to know when their establishments are violating labor laws. Our clients, several of whom worked for Pio Pio for many years, also hope the litigation will cause Pio Pio to change its labor policies.”

The case is “Luis Hernandez, et al. v. Pio Pio 34 Inc., et al.,” in the U.S. District Court, Southern District of New York, Class Action Complaint No. 10 CIV 3470 (VM).

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